



HON. SYLVIA O. HINDS-RADIX
Corporation Counsel

THE CITY OF NEW YORK
LAW DEPARTMENT
100 CHURCH STREET
NEW YORK, NY 10007

ALAN H. SCHEINER
Senior Counsel
phone: (212) 356-2344
fax: (212) 356-39094
email: ascheine@law.nyc.gov

November 17, 2023

Via ECF

Hon. P. Kevin Castel
United States District Court
for the Southern District of New York
500 Pearl Street
New York, NY 10007-1312

Re: *Miller et al. v. City of New York et al.*, 21 Civ. 2616 (PKC)

Your Honor:

I am a Senior Counsel in the Office of Hon. Sylvia O. Hinds-Radix, Corporation Counsel of the City of New York (the “City”), counsel for defendants in this matter. I write in response to the Court’s Order entered on ECF on December 13, 2023, ordering the City to clarify their position on the timing of the final settlement approval hearing. The next conference currently scheduled with is the final hearing approval date of January 24, 2023.

For reasons set forth in defendants' portion of the parties' letter (ECF No. 107), defendants believe that the earliest that a motion for final approval could necessarily be made is 60 days after May 2, 2023, which is July 1, 2023. The hearing should then be held sometime after July 1, 2023. That is because, as defendants previously set forth, the Late Claims Deadline is March 3, 2023, and the deadline for City Challenges to such claims is 60 days after the claims, which would be May 2, 2023, for claims submitted on March 3, 2023. At least 60 days -- until July 1, 2023-- should be allowed for all City Challenges to be resolved; for the Amended Class List to be prepared; and for plaintiffs to make their motion for final approval. Defendants take no position on how long an interval would be sufficient after July 1, 2023, for the Court to hold the hearing.

We thank the Court for its consideration of this matter.

Sincerely,

Alan H. Scheiner /s/

Alan H. Scheiner

Senior Counsel

Special Federal Litigation Division

cc (via ECF): All counsel